

Message Text

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22

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06 OES-06 L-03

STR-04 SS-15 NSC-05 PA-01 USIA-06 PRS-01 SP-02 /072 W

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R 272205Z AUG 76

FM AMEMBASSY GUATEMALA

TO SECSTATE WASHDC 2940

C O N F I D E N T I A L GUATEMALA 6079

EO 11652: GDS

TAGS: EWWT GT

SUBJECT: DECREE 41-71: FEDERAL MARITIME COMMISSION ORDERS

REF: A) STATE 207935, B) GUATEMALA 5956

SUMMARY: EMILIO PERALTA PORTILLO, HEAD OF CORFINA AND VICE PRESIDENT OF FLOMERCA, ADVISED ECONOFF THAT DELTA OFFICIALS PRESENTLY IN GUATEMALA AND HAVING DISCUSSIONS WITH FLOMERCA AND GOG OFFICIALS. HE CONFIRMED POSITION REPORTED REF. B THAT FIVE BILLS IN CONGRESS RELATIVE TO SHIPPING ARE NOT ON ANY CURRENT AGENDA FOR ACTION AND THAT THE GOVERNMENT HAS NO PRESENT PLANS FOR PUSHING FOR CHANGE IN DECREE 41-71 WITH THE ADDITIONAL CAVEAT THAT NO CHANGE IN THE LAW IS POSSIBLE UNDER HIGH PRESSURE CONDITIONS. END SUMMARY.

1. DELTA OFFICIALS HAVE NOT CALLED UPON EMBASSY. REPORTEDLY THEIR POSITION WITH FLOMERCA AND GOG IS THAT US COMANY SEA-LAND IS PROMOTING FMC ACTION. FROM HIS SIDE, SR. PERALTA IS ASKING DELTA WHY IT IS UNABLE TO PRODUCE ACCORD AMONG US INTERESTS AS HAD BEEN PROMISED.

2. FLOMERCA CONSIDERS THAT DELTA/FLOMERCA AGREEMENT WAS PROPER ROUTE TO OBTAIN A RESOLUTION, AT LEAST MEDIUM-TERM, ON THE US CARRIER SHIPPING ISSUE. IT FOLLOWS FROM THIS EXPECTATION THAT PROPOSED FMC ORDERS (REF -)

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ARE MATTER FOR RESOLUTION BY CONCERNED PARTIES ON THE

SU SIDE OF THE AGREEMENT. IN EFFECT: GOG AND FLOMERCA
HAVE DONE THEIR PART, AND INTEND TO HLLD THEIR POSITION
PENDING OUTCOME. EMBASSY HAS CONTINUED TO ADVISE GOG THAT OUTCOME
MAY WELL NOT BE FAVORABLE.

3. COMMENT: IF, AS SUGGESTED REF A, PROPOSED FMC
PROCEEDINGS TEND TOWARD OR RESULT IN APPLICATION OF US
SANCTIONS AGAINST GUATEMALA, THE ISSUE WILL RETURN UN-
COMFORTABLY CLOSE TO SQUARE ONE FOR BOTH GOVERNMENTS.
A WELL-REASONED AND JUDICAL ATTITUDE ON THE PART OF THE FMC AND
UTMOST CARE ON THE PART OF THE EMBASSY COULD PERHAPS
REDUCE THE RESULTANT STRIDENCY OF GUATEMALAN REACTION,
BUT IT IS DUBIOUS THAT THERE COULD BE THE PERIOD OF
RELATIVE CALM FOR REVISION OF DECREE 41-71
SOUGHT BY THE GOG (REF. B) AND WHICH IS ALSO IN OUR INTEREST.
ANDREWS

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NNN

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